

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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| In re Terrorist Attacks on September 11, 2001 | 03 MDL 1570 (GBD) (FM)<br>ECF Case |
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This document relates to:

*Ashton et al. v. al Qaeda Islamic Army, et al.*, 02-cv-6977 (GBD)(FM)

JAMES P. KREINDLER, Esq., hereby states under penalty of perjury that:

1. I am an attorney representing the *Ashton* plaintiffs in the above-captioned litigation and I submit this declaration in support of the motion for final judgment on behalf of the individual plaintiffs attached hereto as Exhibit A, and for permission to allow any remaining *Ashton* plaintiffs to move for the same relief in separate stages.

2. The source of my information and the basis for my belief in my statements contained herein are my personal involvement in this matter for the past 15 years; my firm's representation of the *Ashton* plaintiffs listed in Exhibit A in connection with the September 11<sup>th</sup> litigation against airline defendants; communications directly from family members of the individuals killed in the attacks on September 11<sup>th</sup> and the plaintiffs listed in Exhibit A; and other court records relating to the multi-district litigation to which the *Ashton* plaintiffs are parties. Any matters about which I lack personal knowledge are asserted herein upon information and belief.

3. All of the decedents listed in Exhibit A died in the September 11<sup>th</sup> terrorist attacks and are survived by the family members whose relationships to the decedents are described in Exhibit A. These relationships have been verified by the personal representatives and/or family members of the September 11<sup>th</sup> decedents.

4. The family members listed in Exhibit A were not eligible to receive or opted not to seek compensation through the September 11<sup>th</sup> Victim Compensation Fund (“VCF”). Based on the VCF files in our possession and our communications with the September 11<sup>th</sup> decedents’ personal representatives and family members, no VCF award was issued to any of the plaintiffs listed in Exhibit A.

5. We have been retained individually by the plaintiffs listed in Exhibit A to pursue recovery for their solatium losses arising out of the deaths of their loved ones on September 11, 2001. We have verified that all of the plaintiffs listed in Exhibit A survived the deceased September 11<sup>th</sup> victims and have not recovered for their solatium damages previously, nor do they have any pending motion before this Court for compensation arising out of the September 11<sup>th</sup> attacks.

6. Accordingly, I respectfully request that this Court grant the proposed order attached hereto as Exhibit B.

Dated: August 16, 2017  
New York, NY

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/s/ James P. Kreindler  
James P. Kreindler